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Dated: September 11, 2009
Electronic Signature for Gabriel J. McCool: /Gabriel J. McCool/

Docket No.: BHC 031071
81927(303989)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nils Griebenow

Application No.: Application No.: 10/588,862
Assigned Patent No. 7,589,195
To be issued: September 15, 2009

Confirmation No.: 4070

Filed: June 19, 2007

Art Unit: 1611

For: TETRAHYDROBENZO(D)AZEPIN-2-ONE
DERIVATIVES AND THE USE THEREOF
FOR TREATING CARDIOVASCULAR
DISEASES

Examiner: K. Klinkel

INFORMATION DISCLOSURE STATEMENT (IDS)

Office of Petitions (Section 1.313(c)(2) petition)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Submitted concurrently herewith is a Petition to Withdraw from Issue and the requisite Request for Continued Examination in compliance with 37 C.F.R. § 1.114. Pursuant to 37 CFR § §1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed concurrently with the Request for Examination of the Application.

In accordance with § 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR § 1.98(a)(2).

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 81927(303989).

Dated: September 11, 2009

Respectfully submitted,

Electronic signature: /Gabriel J. McCool/
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